

REMARKS

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 1-4, 8-11 and 15-18, as well as newly introduced Claims 30 to 47, the only claims pending and currently under examination in this application.

Claim 1 has been amended to specify that the cell is contacted in vivo, support for this amendment being found, among other locations, in paragraph 24. Claims 8 and 15 have been amended to specify that administration of the agent is systemic, support for this limitation being found in paragraph 25 and in the working exemplification, see e.g., paragraph 64. New Claims 30 to 47 find support in paragraph 20. As the above amendments introduce no new matter to the application, their entry by the Examiner is respectfully requested.

Claims 1-4, 8-11 and 15-18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Jiang.

Jiang discloses an experiment in which the effect of FK506 on skin papilloma tumor formation in CD-1 mice was examined. The authors found that topical FK506 application 15 minutes prior to TPA treatment resulted in a dose-related inhibition of tumor formation.

As such, Jiang discloses that local topical administration of FK506 to mice somehow inhibits tumor formation in this well-known two stage mouse model of cancer.

As amended, Claim 1 and the claims dependent thereon are limited to in vitro methods of inhibiting expression of an angiogenic factor in a cell. As Jiang provides no teaching or suggestion that FK506 inhibits angiogenic factor expression in a cell in vitro, this claimed subject matter is not anticipated by the disclosure of Jiang.

With respect to Claims 8 and 15, as well as the claims dependent thereon, these claims are limited to methods in which the agent is administered to the host

Atty Dkt. No.: STAN-201
US\$N: 09/960,708

systemically. As Jiang only discloses topical administration of FK506, which is local administration of the agent, Jiang fails to anticipate these claims as well.

Accordingly, Claims 1-4, 8-11 and 15-18 are not anticipated under 35 U.S.C. § 102(b) by Jiang and this rejection may be withdrawn.

Atty Dkt. No.: STAN-201
USSN: 09/060,708

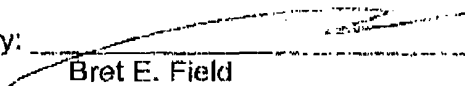
CONCLUSION

In view of the above remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issue.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 2 / 12 / 04

By: 
Bret E. Field
Registration No. 37,620

BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400
Facsimile: (650) 327-3231
F:\DOCUMENT\STAN (Stanford)\201\response to office action of 11-19-03.doc